

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

Anas ELHADY, et al.,

Plaintiffs,

**V.**

CHARLES H. KABLE, et al.,

## Defendants.

**Case No. 1:16-cv-375 (AJT/JFA)**

**DEFENDANTS' MOTION TO PARTIALLY VACATE THE COURT'S  
DECEMBER 18, 2019 ORDER IN LIGHT OF TEN-DAY DEADLINE**

Defendants respectfully move the Court to vacate, in part, its Order of December 18, 2019. Specifically, Defendants request that the Court vacate, without prejudice, its certification of a portion of its order under 28 U.S.C. § 1292(b), which provides that the Court of Appeals may permit an appeal “if application is made to it within ten days after the entry of the order.” The reasons supporting this motion are stated in the accompanying memorandum.

Defendants' counsel has conferred with Plaintiffs' counsel, who opposes this motion and intends to file a response.

A proposed order is attached hereto.

Dated: December 20, 2019

Respectfully submitted,

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